

Amendments to the Claims

1. (currently amended) An apparatus including:

a divert cassette,

wherein the divert cassette is insertable in, adapted for use in, and removable from an automated banking machine,

wherein the divert cassette comprises a first storage compartment including includes a diverted media storage area,

wherein the first storage compartment ~~diverted media storage area~~ is ~~operative~~ adapted to receive diverted media which was deemed unpresentable to an automated banking machine customer,

wherein the divert cassette comprises a second storage compartment including includes a retracted media storage area,

wherein the second storage compartment ~~retracted media storage area~~ is ~~operative~~ adapted to receive retracted media which was presented to an automated banking machine customer,

wherein the divert cassette has a portion thereof comprising a
compartment separating structure,

wherein the compartment separating structure separates the first
storage compartment retracted media storage area is separated from
the second storage compartment diverted media storage area.

2-44. (canceled)

45. (currently amended) An apparatus including: ~~The apparatus according to claim 1~~

a divert cassette,

wherein the divert cassette is adapted for use in an automated banking
machine,

wherein the divert cassette includes a diverted media storage area,

wherein the diverted media storage area is operative to receive
diverted media which was deemed unpresentable to an automated
banking machine customer,

wherein the divert cassette includes a retracted media storage area,

wherein the retracted media storage area is operative to receive
retracted media which was presented to an automated banking
machine customer,

wherein the retracted media storage area is separated from the
diverted media storage area,

wherein the divert cassette includes a partition operative to direct media to
either of the diverted media storage area or the retracted media storage
area.

46. (previously presented) The apparatus according to claim 45 wherein the partition is
operatively movable.

47. (previously presented) The apparatus according to claim 46 wherein the partition is pivotable.

48. (previously presented) The apparatus according to claim 46 wherein the divert cassette
includes a lever operatively connected to the partition, wherein the lever is operative to be driven
by an exterior drive mechanism, and wherein movement of the lever is operative to
correspondingly move the partition.

49. (previously presented) The apparatus according to claim 48 wherein the divert cassette includes a separator operatively connected to the partition, wherein the separator is operative to separate the diverted media storage area from the retracted media storage area.

50. (previously presented) The apparatus according to claim 49 wherein the separator is movable.

51. (previously presented) The apparatus according to claim 50 wherein the separator is operative to correspondingly move with the partition.

52. (previously presented) The apparatus according to claim 51 wherein the partition is operatively connected to the separator via a flexible guide.

53. (previously presented) The apparatus according to claim 48 wherein the partition includes a pair of arms connected via a bridge, wherein the arms are integral with the bridge.

54. (previously presented) The apparatus according to claim 53 wherein the arms are operatively connected to the lever.

55. (previously presented) The apparatus according to claim 46 wherein the divert cassette includes a common media receiving opening, wherein both diverted media and retracted media are operative to enter the divert cassette through the opening.

56. (previously presented) The apparatus according to claim 46 and further including an automated banking machine, wherein the machine includes at least one computer, wherein the machine is operative to present media to a customer, and wherein the machine includes the divert cassette.

57. (previously presented) The apparatus according to claim 56 wherein the machine is operative to determine whether media has an unacceptable media condition, wherein the machine is operative to divert media with an unacceptable condition to the diverted media storage area.

58. (previously presented) The apparatus according to claim 57 wherein the machine is operative to store the diverted media in the diverted media storage area.

59. (previously presented) The apparatus according to claim 58 wherein the machine is operative to store the diverted media in the diverted media storage area without presenting the diverted media to a customer.

60. (previously presented) The apparatus according to claim 56 wherein the machine is operative to retract media presented to a customer after a predetermined time period.

61. (previously presented) The apparatus according to claim 60 wherein the machine is operative to store the retracted media in the retracted media storage area.

62. (previously presented) The apparatus according to claim 56 wherein the divert cassette includes a media-high indicator, wherein the indicator is operative to be actuated when the media in one of the storage areas reaches a predetermined level, wherein the machine is operative to read the indicator.

63. (previously presented) The apparatus according to claim 46 wherein the diverted media storage area is located above the retracted media storage area with the divert cassette in an operating position.

64. (currently amended) A method including:

- (a) ~~providing operating~~ an automated banking machine, ~~with~~ wherein the machine includes a computer and a removable divert cassette,

wherein the divert cassette comprises a first storage compartment including ~~includes~~ a diverted media storage area, wherein the first storage compartment is adapted to receive diverted media which was deemed unpresentable to an automated banking machine customer,

wherein the divert cassette comprises a second storage compartment including ~~separated from~~ a retracted media storage ~~area, area,~~ wherein the second storage compartment is adapted to receive retracted media which

was presented to an automated banking machine customer and remained in a customer accessible location during a predetermined period of time,

wherein the divert cassette has a portion thereof comprising a compartment separating structure, wherein the compartment separating structure separates the first storage compartment from the second storage compartment;

- (b) ~~determining whether media has an acceptable or an unacceptable media condition;~~
operating the computer to determine at least one of:

(b1) unpresentable media, or

(b2) retracted media;

- (c) responsive to (b1), ~~(b), either~~ operating the machine to store the unpresentable media in the first storage compartment;

- (d) responsive to (b2), operating the machine to store the retracted media in the second storage compartment

(c1) ~~diverting media having an unacceptable media condition to the diverted media storage area, or~~

(c2) ~~presenting media having an acceptable media condition to a customer;~~

(c2a) ~~responsive to (c2), retracting presented media remaining after a predetermined time period to the retracted media storage area.~~

65. (currently amended) The method according to claim ~~66~~ 64 wherein (c1) includes storing the diverted media in the diverted media storage area without presenting the diverted media to a customer.

66. (currently amended) A method including: ~~The method according to claim 64 wherein (a)~~ includes

(a) providing ~~the~~ an automated banking machine with a divert cassette including a partition movable between a first position and a second position, wherein the divert cassette includes a diverted media storage area separated from a retracted media storage area, wherein the first position is operative to direct media to the

diverted media storage area, wherein the second position is operative to direct media to the retracted media storage area,

(b) determining whether media has an acceptable or an unacceptable media condition,

(c) responsive to (b), either

(c1) diverting media having an unacceptable media condition to the diverted media storage area, wherein (c1) includes including moving the partition to the first position, or

(c2) presenting media having an acceptable media condition to a customer;

(c2a) responsive to (c2), retracting presented media remaining after a predetermined time period to the retracted media storage area, and wherein (c2a) includes including moving the partition to the second position.

67. (previously presented) The method according to claim 66 wherein (a) includes providing the automated banking machine with a divert cassette including a common media receiving opening, wherein both diverted media and retracted media are operative to enter the divert cassette through the common opening.

68. (previously presented) The method according to claim 66 wherein the automated banking machine includes a drive mechanism, wherein (a) includes providing the automated banking machine with a divert cassette including a movable lever operatively connected to the partition, wherein movement of the lever is operative to correspondingly move the partition, and further including

(d) moving the lever with the drive mechanism.

69. (previously presented) The method according to claim 66 wherein the media comprises currency, wherein (b) includes determining whether the currency is presentable to a customer.

70. (previously presented) The method according to claim 69 and further including

(d) removing currency from one of the diverted media storage area and the retracted media storage area;

(e) removing any currency in the other of the diverted media storage area and the retracted media storage area.